

REMARKS

Applicants wish to thank Examiner Shapiro and Primary Examiner Mengistu for taking time from their busy schedule on January 15, 2003, for a courteous and professional personal interview with Applicants' representative. It is believed that this exchange of viewpoints has greatly expedited prosecution.

Claims 1-30 are all of the claims pending in the present Application. Claims 8-10 stand rejected under 35 USC §112, second paragraph, as being indefinite. Applicants believe the above claim changes address this rejection and respectfully request that the Examiner reconsider and withdraw this rejection.

Claims 1 and 23-25 stand rejected under 35 USC §103(a) as unpatentable over US Patent 6,067,078 to Hartman, further in view of US Patent 6,072,476 to Harada et al. Claim 2 stands rejected under 35 USC §103(a) as unpatentable over Hartman/Harada, further in view of US Patent 5,659,361 to Jin. Claims 3, 8, 11, and 26 stand rejected under 35 USC §103(a) as unpatentable over Hartman/Harada/Jin, further in view of US Patent 6,256,020 to Pabon et al. Claims 4, 5, 12-14, and 27 stand rejected under 35 USC §103(a) as unpatentable over Hartman/Harada/Jin/Pabon, further in view of US Patent 5,121,112 to Nakadozono. Claims 6, 9, 15-18, and 28-30 stand rejected under 35 USC §103(a) as unpatentable over Hartman/Harada/Jin/Pabon/Nakadozono, further in view of US Patent 5,710,600 to Ishii et al. Claims 7, 10, and 19-22 stand rejected under 35 USC §103(a) as unpatentable over Hartman/Harada/Jin/Pabon, further in view of US Patent 5,982,429 to Kamamoto et al.

These rejections are respectfully traversed in view of the following discussion.

I. THE CLAIMED INVENTION

As disclosed and described by the claims, e.g., claim 1, the present invention is directed to a vehicle-mounted apparatus including a first panel mounted onto a surface in a vehicle having a first display. The apparatus includes a second panel having a second display. The second panel is openable and closeable with respect to the first panel about a side thereof as an axis.

Advantages of the present invention over prior art configurations include that it provides a display/control apparatus that minimizes space and reduces complexity for the control switching.

II. THE PRIOR ART REJECTIONS

The Examiner alleges that claims 1 and 23-25 are rendered obvious over Hartman in view of Harada. The Examiner concedes that Hartman fails to teach or suggest that the second panel is adapted to be opened and closed with respect to the first panel. To overcome this deficiency of Hartman, the Harada reference is introduced. The similar rejection is associated for claims 8 and 10.

The Examiner alleges that one would be motivated to combine Harada with Hartman *"in order to provide [an] image display device with dual-screen independent mode (See Col. 1, Lines 61-64 in Harada et al. reference)."*

Applicants respectfully submit that this rejection suffers from at least two problems. First, the motivation to combine Harada with Hartman is irrelevant, since Hartman already has this feature, as clearly described at lines 49-54 of column 1 and lines 56-61 of column 3. Therefore, Applicants respectfully traverse that a proper motivation to combine Harada with

Hartman is present in the rejection currently of record.

Second, the modification of the Hartman visual display system 20 to incorporate the feature of being able to open and close the second frame with respect to the first frame, similar to that of Harada, would be improper under the evaluation guideline described in MPEP §2143.01, which clearly states: "*If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims prima facie obvious*" (emphasis by Applicants).

As described at lines 61-67 of column 2 of Hartman, it is clear that the principle of operation therein requires that the first frame 26 be hinged to the second frame 28 at hinged connection 40 and that the frames mutually slide along some type of slidable connections 42 so that the fully flat position shown in Figures 1 and 3 can be adjusted to a variable position exemplarily shown in Figure 2.

Applicants respectfully submit that this configuration of Hartman cannot be modified to become similar to the hinged "electronic textbook" taught in Harada without totally changing the principle of operation clearly described in Hartman.

That is, even if Hartman would be modified to allow one of the frames to dissociate from the slidable connections 42, the hinged connector 40 would preclude the panels from closing. Additionally, Hartman clearly teaches that the "closed" position is the flat position, as clearly shown in Figures 1 and 3.

Therefore, Applicants submit that the modification of Hartman to incorporate the closing feature of Harada is improper under MPEP §2143.01.

Hence, turning to the clear language of the claims, there is no teaching or suggestion

of “ ... wherein said second panel is adapted to be opened and closed with respect to said first display about a side thereof as an axis,” as required by claims 1 and 23. The other independent claims have similar language. Based on dependency alone, all claims are, therefore clearly allowable over Hartman.

Relative to the rejection for claims 24 and 25, Applicants traverse that the lines from Harada cited in the rejection are relevant, since neither Hartman nor Harada even suggest a display when in a closed position. Indeed, the primary reference Hartman, at lines 22-28 of column 4, teaches that no images are displayed in the covered configuration. The Examiner cannot simply ignore the contrary teaching of the primary reference (see MPEP §2143.02).

Relative to the rejection for claim 2, Applicants respectfully submit that the rotatable panel of Jin is not even relevant to the display configuration in Hartman since it clearly cannot be incorporated without totally changing the principle of operation of the primary reference Hartman, a defect similar to the discussion above for the independent claims.

Relative to the rejection for claims 3, 8, 11, and 26, Applicants respectfully submit that the motivation to modify Hartman to incorporate the features of Pabon is irrelevant. That is, this casual, conclusory motivation to combine references is clearly prohibited by MPEP §2143.01: *"The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination."* Therefore, this urged combination is improper.

This same arguments above apply for the rejection for claims 4, 5, 12-14, and 27, particularly since none of the cited references even teach the claimed limitation that the rotation upside down causes the function and/or function indication to change. That is, even if Nakadozono were incorporated into Hartman/Harada/Jin/Pabon, the resultant combination

would still have to be further modified. As pointed out above, in accordance with MPEP §2143.01, the mere fact that reference can be combined or modified does not render obviousness.

Relative to claims 6, 9, 15-18, and 28-30, the Examiner concedes that Hartman/Harada/Jin/Pabon/Nakadozono fails to teach or suggest displaying the current audio source on at least one of the displays. To overcome this deficiency, the Examiner introduces Ishii and considers that it would have been obvious to add this reference "*to identify the current audio source*".

Applicants respectfully traverse that this motivation to combine references is anything except a conclusory statement of the result. Applicants additionally point out that this rejection would seem to demonstrate the fallacy of the current rejection of record in that six totally unrelated prior art references are merely tied together by using the present invention as a roadmap. That is, none of the motivations to combine references in the current rejection of record would be objectively reasonable to one of ordinary skill in the art.

Relative to claims 7, 10, and 19-22, the Examiner concedes that Hartman/Harada/Jin/Pabon fails to teach or suggest that the relative angle between the first and second panels be used as the basis for switching sources of input. To overcome this deficiency, the Examiner relies upon the microphone switch for the video camera of Kamamoto. The Examiner considers that modification of Hartman/Harada/Jin/Pabon would be obvious since such modification would provide "*user convenience*".

Applicants respectfully submit that such combination would be improper, given that the primary reference Hartman, at lines 1-15 of column 4 already clearly provides a mechanism for the selection of sub-system to become the source. That is, exemplarily by selecting one of

the control switches 32, the radio sub-system is selected as the display source and the controls for the radio become the adjustment switch 46 and the control switches 48 (see lines 7-15).

There is no suggestion in the primary reference to use a mechanism based upon the panel relative angle as an alternate switching mechanism. Again, the Examiner cannot simply ignore the clear teachings of the primary reference.

The present invention provides a solution to several problems that particularly plague displays for vehicles. For example, as described beginning at line 13 of page 2 and continuing through line 15 of page 4, conventional vehicle displays have complicated switching and display protocols. The present invention provides eloquent solutions to these problems.

That is, for example, the present invention can serve as an audio control panel when in the closed position, including providing a display function for the audio system in the portion of the first display that is exposed when the second panel is in the closed position. When the second panel is opened, the two displays automatically provide the appropriate displays for a second system, such as a navigator display or a television screen, in addition to any displays required by the original audio system.

The present invention can also automatically adapt the control switch functions and displays based upon whether the second panel is open and whether the second panel has been rotated upside down. This aspect of the present invention reduces the complication and confusion of the switching and display choices of conventional in-vehicle display panels, thereby providing an in-vehicle display apparatus that is much more easily operated by the operator of the vehicle who is easily distracted by having to figure out how to switch displays, which switches control functions in various systems controlled by the display panel, and how functions on multiple systems are controlled by which switches when systems are switched on

and off.

In contrast, the control configuration of the primary reference Hartman is clearly more distracting to the driver, since the exemplary switching mechanism described above for the radio control requires that the proper control switches 32 first be selected before the radio sub-system is activated as the display source and the adjustment switch 46 and the control switches 48 (see lines 7-15) become the controls for the radio. It is easy to recognize that fumbling around and searching for the correct control switch 32 for a specific sub-system could easily become a major source of distraction for a driver. The present invention provides a very simple solution for this distraction by having the sub-system selection being based upon the relative angle of the panels.

III. FORMAL MATTERS AND CONCLUSION

The Examiner objected to the drawings for failing to show the claimed feature that the first panel is adapted to be mounted onto a surface of a vehicle. Applicants submit under separate cover a proposed drawing change to address this concern.

The Examiner is again requested to acknowledge the receipt of the priority document filed January 4, 2001, with the Application.

In view of the foregoing, Applicants submit that claims 1-30, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed

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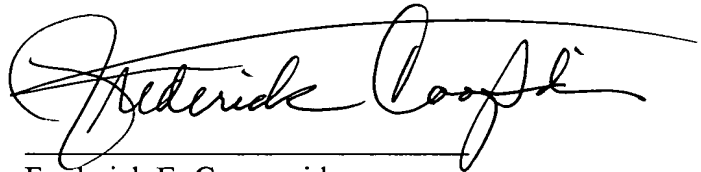
below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: _____

4/21/03

A handwritten signature in black ink, appearing to read "Frederick E. Cooperrider", written over a horizontal line.

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